

# ADMINISTRATIVE GRIEVANCE SYSTEM

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## I. Purpose

This directive establishes Department of Homeland Security (DHS) policy regarding the Administrative Grievance System (AGS).

## II. Scope

A. This directive applies to all DHS Components, unless otherwise excluded by statutory authority. It does not apply to the DHS Office of the Inspector General.

B. AGS procedures do not apply to bargaining unit employees under Title 5 United States Code (U.S.V.), Chapter 71, except when the parties have excluded the matter from applicable negotiated grievance procedures (NGP) or the NGP is not in effect at the relevant time.

C. AGS procedures do not apply to non-citizens recruited overseas and appointed to overseas positions.

D. Directive 256-02, "Administrative Grievance," is hereby superseded.

## III. Authorities

This directive is governed by:

A. Title 5, U.S.C., Section 301

B. Title 5, Code of Federal Regulations, Part 771

## IV. Responsibilities

A. **The Secretary (or designee)** ensures that DHS and its Components comply with this directive and with all applicable laws, regulations, and Executive Orders. The Secretary may designate a manager to serve as the Deciding Official when addressing formal grievances filed at the Secretariat level.

B. **The Under Secretary for Management**, through the DHS Chief Human Capital Officer, oversees all aspects of this directive.

## V. Policy and Procedures

A. **Policy.** Providing employees an opportunity to seek review of workplace disputes without formal litigation contributes to the efficient administration of DHS. Unresolved disputes undermine the ability of the workforce to maintain the high level of performance necessary to ensure homeland security. The policies and principles of the DHS AGS are to:

1. Assure employees of their right, freely and without fear of reprisal, to seek review of workplace disputes.
2. Promote early and effective resolution of workplace disputes.
3. Address workplace disputes in such a manner as to promote a climate of mutual trust.
4. Remain sensitive to legitimate employee needs and concerns when resolving disputes and take prompt action when appropriate to correct or improve matters that are within the discretion of management.
5. Emphasize efficient operations and high levels of productivity as elements of joint concern to employees and management when resolving workplace disputes.
6. Encourage participation in Alternative Dispute Resolution (ADR). While ADR is not required, participation can lead to early and satisfactory resolution of concerns.

B. **Procedures.** The AGS consists of an informal and formal process. Unless otherwise instructed to do so by the Agency, employees are required to complete the informal process on covered matters with the Grievance Official prior to filing a formal grievance. A complete description of the AGS, definitions, exclusions and timelines are provided in DHS Instruction Number 256-02-001. The formal grievance decision is the final DHS decision and it is not subject to further review.

## VI. Questions

Address any questions or concerns regarding this directive to the Department's Office of the Chief Human Capital Officer.

  
Chris Cumiskey  
Acting Under Secretary for Management

4/28/14  
Date